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10  
11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

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14 LEONARD SINA,

15 Plaintiff

16 v.

Civil Action No. 2:13-cv-00342-GMN-GWF

17 SUN LIFE ASSURANCE COMPANY OF  
18 CANADA; MGM RESORTS  
19 INTERNATIONAL; MGM RESORTS  
INTERNATIONAL EMPLOYEE  
BENEFIT PLAN,

20 Defendants


**ORDER GRANTING  
JOINT MOTION OF ALL PARTIES TO  
DISMISS WITHOUT PREJUDICE**

21 Pending before this court is the Joint Motion of All Parties to Dismiss Without Prejudice.  
22 Federal Rule of Civil Procedure 21 permits the court to “at any time, on just terms, add or drop a  
23 party.” The parties agree that named defendants MGM Resorts International and MGM Resorts  
24 International Employee Benefit Plan should be dropped as parties in the above-referenced matter  
25 because: the long term disability plan in this case is fully insured by a group long term disability  
26 insurance policy issued by Defendant Sun Life Assurance Company of Canada (“Sun Life”); Sun  
27 Life is responsible for payment of all sums that may be due to plaintiff under the policy which  
28 insures the plan; and Sun Life will pay all sums that may be due to plaintiff arising from the

1 allegations set forth in the Complaint, including any attorney's fees or costs deemed appropriate  
2 and payable by the court. The parties further agree that Sun Life will not assert failure to name the  
3 plan as a defense in this matter. After considering the parties' motion and for good cause shown:

4 IT IS HEREBY ORDERED that the Joint Motion of All Parties to Dismiss Without  
5 Prejudice is GRANTED.

6 **DATED** this 4th day of April, 2013.

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10 Gloria M. Navarro  
11 United States District Judge  
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